

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION**

MID-PACIFIC REGION

**SOUTH-CENTRAL CALIFORNIA AREA OFFICE
FRESNO, CALIFORNIA**

Draft FINDING OF NO SIGNIFICANT IMPACT

**TRANSFER OF UP TO 4,400 ACRE-FEET OF CENTRAL VALLEY PROJECT WATER FROM
FIREBAUGH CANAL WATER DISTRICT TO
SAN LUIS WATER DISTRICT OR WESTLANDS WATER DISTRICT**

**Central Valley Project
Sacramento, California**

FONSI-09-31

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Transfer of up to 4,400 acre-feet of Central Valley Project Water from Firebaugh Canal Water District to San Luis Water District or Westlands Water District

In accordance with the National Environment Policy Act (NEPA) of 1969, as amended, the South-Central California Area Office of the U.S. Bureau of Reclamation (Reclamation,) has determined that an environmental impact statement is not required for the approval of a transfer of up to 4,400 acre-feet (af) of Central Valley Project (CVP) water from Firebaugh Canal Water District (FCWD) to San Luis Water District (SLWD) and/or Westlands Water District (WWD.) This Finding of No Significant Impact (FONSI) is supported by Reclamation's Environmental Assessment (EA) Number 09-31, *Transfer of up to 4,400 acre-feet of Central Valley Project Water from Firebaugh Canal Water District to San Luis Water District or Westlands Water District*, dated April 2009, and hereby incorporated by reference.

Reclamation proposes to approve the transfer of up to 4,400 af of FCWD's Exchange Contract CVP supplies to WWD and/or SLWD between April and September. FCWD would pump up to 15 cubic feet per second (cfs) (up to a total of 30 af/day) of groundwater to meet their in-district demands in lieu of taking surface water deliveries dedicated to FCWD under the San Joaquin Exchange Contractor's Contract. This water would be discharged into FCWD's Intake Canal and would not be delivered into Mendota Pool. The additional 30 af of water which would be left in the Mendota Pool would be used by Reclamation to meet its other obligations in the Mendota Pool and in exchange 30 af of water would be delivered to SLWD and WWD off of the San Luis Canal.

BACKGROUND

2007, 2008 and 2009 have been dry years in the San Joaquin Valley. In addition, due to Federal Judge Oliver Wanger's Delta Smelt Interim Remedy Order, operation of the Federal Jones Pumping Plant will be limited and further reduce available CVP contract supplies. South of the Delta CVP water service contractors need additional water to supplement their 2009 CVP water supply during a dry year.

The proposed transfer is intended to allow expeditious water delivery so as to assist in offsetting the effects of the zero south-of-delta CVP allocation. This CVP water is needed immediately by SLWD and WWD to meet in-district irrigation demands.

Reclamation's finding that implementation of the Proposed Action will result in no significant impact to the quality of the human environment is supported by the following findings:

Findings

Water Resources

The transfer of 4,400 af would offset 0.6 through 3.4 percent of the 2009 surface water supply deficit in WWD and SLWD respectively and allow the delivery of surface water during the months of April through September 2009. The water transfer would be a minor offset to the 2009 surface water delivery reductions in SLWD and WWD.

Water supplies in FCWD would continue to meet agricultural water demand despite the transfer. FCWD would pump an equivalent amount to offset surface water deliveries. This transfer would be required to be in compliance with FCWD's transfer policy and maintain the balance in the groundwater basin. The pumping for transfer equates to 2.7 percent of the ten-year average

Exchange Contractor groundwater pumping. The FCWD groundwater pumping may be offset by a reduction in groundwater pumping in the recipient water districts where groundwater overdraft is not under control.

The 4,400 af of low quality groundwater pumped into the FCWD's distribution system has been calculated to change the TDS in FCWD's Intake Canal by no more than 30 mg/L. This water quality impact is within the normal water quality fluctuation in the canal system due to Delta pumping tidal influences and other influences.

Under the Proposed Action FCWD would have sufficient water supplies to meet their water demands. CVP and California State Water Project (SWP) facilities would not be impacted as the transferred water must be scheduled and approved by Reclamation and DWR. No natural streams or water courses would be affected since no additional pumping or diversion would occur. There would be a minor positive impact to surface water resources and a slight impact to groundwater resources due to the Proposed Action.

Land Use

Under the Proposed Action the 4,400 af of additional water delivered to SLWD and/or WWD would offset between 0.6 to 3.4 percent of the surface water delivery deficit and allow water supplies to be delivered to SLWD and/or WWD during April through September 2009. Land fallowing is still expected due to the severity of the water shortage, however the infusion of 4,400 af of additional water supplies would preserve some row crops or orchards that might otherwise have been abandoned.

There would be no land use changes in FCWD as their water supply quantity is not changing.

There would be a slight positive impact on land use in SLWD and/or WWD due to the ability of some established row crops to remain in production and the enhanced survival of orchards.

Biological Resources

Most of the habitat types required by species protected by the Endangered Species Act (ESA) do not occur in the project area. The Proposed Action would not involve the conversion of any land fallowed and untilled for three or more years. The Proposed Action also would not change the land use patterns of the cultivated or fallowed fields that do have some value to listed species or birds protected by the Migratory Bird Treaty Act (MBTA). Since no natural stream courses or additional surface water pumping would occur, there would be no effects on listed fish species. No critical habitat occurs within the area affected by the Proposed Action and so none of the primary constituent elements of any critical habitat would be affected.

The short duration of the water availability, the requirement that no native lands be converted without consultation with FWS, and the stringent requirements for transfers under applicable laws would preclude any impacts to wildlife.

Air Quality

Two of the wells that would be pumped have electric motors and the other two have the latest tier three diesel engines. These low emission engines would not reach the de minimis threshold and

therefore a conformity analysis is not required under the Clean Air Act and there would be a slight impact on air quality.

Cultural Resources

Transferring water as described in the Proposed Action would not result in impacts to archeological or cultural resources. These lands are agricultural lands that have undergone cultivation and land disturbance for more than 20 years. Reclamation determined that there was no potential effect to cultural resources.

Indian Trust Assets

There are no tribes possessing legal property interests held in trust by the United States in the water involved with this action, nor is there such a property interest in the lands designated to receive the water proposed in this action. There are no ITAs, Indian Reservations, or public domain allotments found within the water districts involved.

Socioeconomic Resources

The Proposed Action would allow for continued water deliveries to SLWD and WWD and would help to maintain the stability of the agricultural market and economical vitality for the San Joaquin Valley to some degree. The proposed transfer would not interfere with State Water Project or CVP priorities or operations.

The water service transactions are temporary actions and would not result in long-term increases in water supplies that would encourage urbanization or construction.

Environmental Justice

The Proposed Action would not cause dislocation, changes in employment, or increase flood, drought, or disease. The Proposed Action would not disproportionately impact economically disadvantaged or minority populations. Some amount of agricultural production that would not be sustained with the current water availability would continue with the resulting preservation of jobs. The unemployment rate in the vicinity of SLWD and WWD suggests that any actions that maintain seasonal jobs should be considered beneficial. Employment opportunities for low-income wage earners and minority population groups would be within historical conditions. Disadvantaged populations would not be subject to disproportionate impacts.

Cumulative Effects

Additional transfers to SLWD and WWD are under development. Transfers in this dry year will not provide sufficient water to meet the full irrigation demand in these districts. Therefore there will be no adverse cumulative impact of additional transfers in or groundwater deliveries via Warren Act contract on land uses, biological resources, or socioeconomics. Since there was no impact to cultural resources or ITAs there is no cumulative impacts to these resources. The pump in project is under the de minimis standard for federal agencies under the CAA so again there are no cumulative impacts to air quality.

The Exchange Contractors have committed to a policy of no net depletion of groundwater over the next ten years. Based on a review of groundwater levels over the past ten years, no net substantial change in groundwater storage has occurred within the Exchange Contractors service area. Given the small amount of the increase, the pumping component of the proposed program would likely have little or no direct effect on groundwater levels or flow patterns within the source area over the

25-year duration of the various Exchange Contractor programs. Furthermore, ongoing groundwater monitoring would detect any negative impacts that FCWD pumping may have on nearby wells or the depth to water. These impacts are prohibited under the FCWD's 1993 transfer policies. The cumulative impact of groundwater pumping is minimal.

The proposed transfer, when added to other actions, would not contribute to significant increases or decreases in environmental conditions. These water service actions would be temporary lasting only through September 2009. The Proposed Action was found to have no adverse impact on water resources, biological resources, cultural resources, ITAs, and socioeconomics and therefore there is no contribution to cumulative impacts on these resources areas. Slight beneficial impacts to land use and environmental justice are within the historical variations and would not contribute to cumulative impacts. Overall there would be no cumulative impacts caused by the Proposed Action.